

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff/Respondent,

Case No. 09-cr-20303

Civil Case No. 13-cv-11793

v.

HONORABLE STEPHEN J. MURPHY, III

MICHAEL KELLER,

Defendant/Petitioner.

ORDER ADOPTING REPORT AND RECOMMENDATION (document no. 116),
AND DENYING PETITIONER'S MOTION TO VACATE SENTENCE (document no. 89)

Petitioner Michael Keller ("Keller"), confined at the Milan Federal Corrections Institute in Milan, Michigan, moves to vacate, set aside, or reduce his sentence pursuant to 28 U.S.C. § 2255. The Court referred the motion to Magistrate Judge Mona K. Majzoub, who issued a Report and Recommendation ("Report") suggesting the Court deny the motion. Report, ECF No. 116.

Civil Rule 72(b) governs review of a magistrate judge's report and recommendation. De novo review of the magistrate judge's findings is only required if the parties "serve and file specific written objections to the proposed findings and recommendations." Fed. R. Civ. P. 72(b)(2). Because no objections were filed, de novo review of the Report's conclusions is not required. After reviewing the record, the Court finds that the magistrate judge's conclusions are factually based and legally sound. Accordingly, the Court will adopt the Report's findings and deny Keller's motion to vacate sentence.

ORDER

WHEREFORE, it is hereby **ORDERED** that the magistrate judge's Report and Recommendation (document no. 116) is **ADOPTED**.

IT IS FURTHER ORDERED that Petitioner's Motion to Vacate Sentence (document no. 89) is **DENIED**.

SO ORDERED.

s/Stephen J. Murphy, III
STEPHEN J. MURPHY, III
United States District Judge

Dated: February 1, 2016

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on February 1, 2016, by electronic and/or ordinary mail.

s/Carol Cohron
Case Manager